

EXHIBIT I

In The Matter Of:

Chapman vs. Avon Products, Inc., et al.

Dr. William Longo, Vol. 3
October 3, 2022

Abrams, Mah & Kahn Reporting Service

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1 You have not validated by SAED, EDS, or EDXA any
2 finding of chrysotile in talcum powder from a Cashmere
3 Bouquet container, correct?

4 **A. Still haven't.**

5 Q. You have not validated identification of
6 chrysotile and any talcum powder by SAED, correct?

7 **A. We have not done TEM on that yet, but we have**
8 **validated it because we have looked at the chrysotile that**
9 **we're finding. We have compared it to standards that has**
10 **the same size of chrysotile, which shows the same type of**
11 **dispersion and light, shows the same type of refracted**
12 **indices.**

13 **We have been validated by Mickey Gunther that the**
14 **SG 210 has the, quote, orangeish-yellow to blueish**
15 **dispersion. And in my opinion, the thought that we are**
16 **misidentifying fibrous talc for chrysotile, I think it's**
17 **actually reverse. Defendant experts are misidentifying**
18 **chrysotile for fibrous talc. So when you say we haven't**
19 **validated it, there is no requirement that PLM analysis**
20 **has to have -- also pass mustered yet. And you have to**
21 **have TEM.**

22 **So I just want to make it clear that we have not**
23 **analyzed it by TEM at this point. We have -- have a few**
24 **samples where we have SEM that shows that shows that it is**
25 **in the same sample. And we will get there, but as far as**

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1 fraction crepes drawn from Cashmere Bouquet?

2 **A. Not yet.**

3 Q. Have you used all of your light fraction material
4 to load SEM stubs, or do you still have material
5 available?

6 **A. Well, we have maybe 3 or 4 milligrams available.**

7 Q. Have you loaded any SEM stubs at all yet?

8 **A. Not yet.**

9 **MR. SLAUGHTER:** Thank you, Doctor. That's all
10 the questions that I have for you.

11 Counsel, for the record, we would just ask that
12 you preserve the Cashmere Bouquet materials so that we can
13 get our own splits to the extent that they're being tested
14 again or -- and/or give us notification when those tests
15 will be done.

16 That's all I have.

17 Thank you, Doctor. I appreciate your time.

18 **EXAMINATION**

19 **BY MR. SCULLY:**

20 Q. Dr. Longo, Tom Scully here. Can you hear me?

21 **A. I can.**

22 Q. Dr. Longo, what we're going to do is we are going
23 to mark as the next exhibit in order your supplemental
24 report for Avon talcum powder, which is dated
25 September 30, 2022.

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1 **I'm concerned, we have validated it.**

2 **MR. SLAUGHTER:** Object to the nonresponsive
3 portion, but thank you for that answer.

4 **BY MR. SLAUGHTER:**

5 Q. Are you still in the beta phase for method
6 development for identifying chrysotile in talc?

7 **MR. BUHA:** Vague and ambiguous.

8 **THE WITNESS:** Yes. We're now running the SG 210
9 and looking at different variations of heavy liquid to
10 maximize it starting from scratch. So it's been since
11 we -- well, we've had these SG 210s for a while and forgot
12 about them. But that is -- that is the best product right
13 now because it is -- the refractive indices are almost
14 identical. They're within a few thousandths of a
15 refractive indice.

16 And once that is -- once we have that -- have
17 that maximized, so I can publish it, and then we'll go on
18 to TEM.

19 **MR. SLAUGHTER:** Thank you.

20 Object to the nonresponsive portion.

21 **BY MR. SLAUGHTER:**

22 Q. Couple more questions. And I think Dr. Longo,
23 you sort of answered this already, but I just want to be
24 clear. And I'll be done in one minute.

25 Has your lab commenced testing by SEM, the light

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1 (Exhibit 43 marked for
2 identification.)

3 **BY MR. SCULLY:**

4 Q. Do you have that?

5 **A. Yes.**

6 Q. Dr. Longo, is that report 87 pages total?

7 **A. That seems about right. I don't have page**
8 **numbers on it, but if I were to count them all up, I would**
9 **think that's what it was.**

10 Q. Dr. Longo, is this now your final report for
11 Avon?

12 **A. For these two, I hope so.**

13 **MR. BUHA:** Calls for speculation.

14 **BY MR. SCULLY:**

15 Q. Doctor, are you prepared to vouch for the results
16 of this report?

17 **MR. BUHA:** Vague. Ambiguous.

18 **THE WITNESS:** Yes, sir. This -- this supplement,
19 I believe, cures a few of the problems associated with the
20 other one.

21 **MR. SCULLY:** No further questions.

22 Let the record reflect that was under one minute
23 of questioning.

24 **THE WITNESS:** I'm impressed -- very impressed.

25 **MR. LANKFORD:** Anyone else before I ask my few

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1 **MR. SCULLY:** Can we have seven more hours?
 2 **THE WITNESS:** Well, that's never up to me. I
 3 think it's --
 4 **MR. BUHA:** I don't have anything further. I'll
 5 reserve at trial.
 6 We can go off the record.
 7 -oOo-
 8 (The deposition concluded at 2:02 p.m.)
 9 * * *


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REPORTER'S CERTIFICATION

1
 2
 3 I, AMANDA J. DOSS, Certified Shorthand
 4 Reporter in and for the State of California, do hereby
 5 certify:

6
 7 That the foregoing witness was by me duly
 8 sworn remotely; that the deposition was then taken before
 9 me at the time herein set forth; that the testimony
 10 and proceedings were reported stenographically by me
 11 and later transcribed into typewritten form under my
 12 direction; that the foregoing is a true record of the
 13 testimony and proceedings taken at that time.

14
 15 IN WITNESS WHEREOF, I have subscribed my name
 16 this October 8, 2022.

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 21 
 Amanda J. Doss, CSR No. 13745

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DECLARATION UNDER PENALTY OF PERJURY

1
 2
 3 I declare under penalty of perjury that I have
 4 read the entire transcript of my Deposition taken in
 5 the captioned matter or the same has been read to me,
 6 and the same is true and accurate, save and except for
 7 changes and/or corrections, if any, as indicated by me
 8 on the DEPOSITION ERRATA SHEET hereof, with the
 9 understanding that I offer these changes as if still
 10 under oath.

11 Signed on the _____ day of _____,
 12 2022.

13 _____
 14 DR. WILLIAM LONGO
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